

REGULAR MEETING  
BOROUGH COUNCIL  
BOROUGH OF RUMSON  
February 12, 2013

A regular meeting of the Borough Council of the Borough of Rumson was held in the Charles S. Callman Courtroom of the Memorial Borough Hall on February 12, 2013 and was called to order by Mayor John E. Ekdahl at 7:30 p.m.

Pledge of Allegiance.

Present: Mayor Ekdahl, Councilwoman DeVoe, Councilmen Broderick, Day, Hemphill, Rubin and Shanley.

Absent: None.

Thomas S. Rogers, Municipal Clerk/Administrator, was present.

Martin M. Barger, Borough Attorney, was present.

David Marks of T & M Associates was present.

The Mayor declared a quorum present and announced that the notice requirements of the Open Public Meetings Act had been met by the posting and mailing of a schedule of all regular and work meetings of the Borough Council for the year 2013 to the *Asbury Park Press* and the *Two River Times*.

On motion by Councilman Rubin, seconded by Councilman Hemphill, the minutes of the January 15<sup>th</sup> and 29<sup>th</sup> meetings were approved as written, copies having been forwarded to all Council members. All in favor.

**COMMUNICATIONS:**

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**LETTER FROM RUMSON GARDEN CLUB REQUESTING PERMISSION TO HOLD THEIR ANNUAL PLANT SALE AT THE BOROUGH DPW GARAGE AGAIN THIS YEAR ON SATURDAY, MAY 4, 2013:**

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The Municipal Clerk/Administrator advised of a letter dated February 6, 2013 from the Diane J. Guidone of the Rumson Garden Club requesting permission to hold their annual plant sale at the Department of Public Works garage again this year on Saturday, May 4, 2013 from 8:30 a.m. until 12:00 p.m. noon. They have requested that they also be allowed to store their plant material and supplies in the garage bay on Friday, May 3<sup>rd</sup>. The Municipal Clerk/Administrator advised that the May 4<sup>th</sup> date was coordinated with Rumson's Green Day shredding/recycling event that will be held in the parking lot behind the First Aid building. This will allow anyone participating in Green Day to also stop by and purchase a plant at the Garden Club plant sale.

On motion by Councilman Day, seconded by Councilwoman DeVoe, this communication was ordered received and permission for the Garden Club plant sale at the DPW garage was granted. All in favor.

**APPLICATION FROM CHARLES SURMONTE, P.E. & L.S. ON BEHALF OF GREGORY FEDORCIK SUBMITTED TO THE STATE D.E.P. FOR A CAFRA PERMIT FOR THE CONSTRUCTION OF AN ADDITION TO AN EXISTING SINGLE-FAMILY DWELLING ON PROPERTY LOCATED AT 11 HARBOR DRIVE:**

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The Municipal Clerk/Administrator advised of an application submitted to the New Jersey Department of Environmental Protection on behalf of Gregory Fedorcik for a CAFRA permit for the construction of an addition to an existing single-family dwelling on property located at 11 Harbor Drive.

On motion by Councilwoman DeVoe, seconded by Councilman Rubin, this communication was ordered received. All in favor.

**COMMITTEE REPORTS:**

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None.

**UNFINISHED BUSINESS:**

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**ORDINANCE 13-002 G TO AUTHORIZE THE AMENDMENT OF CHAPTER XVII,  
FLOOD DAMAGE PREVENTION. PUBLIC HEARING:**

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The Municipal Clerk/Administrator stated that an ordinance entitled:

**13-002 G**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER XVII, FLOOD DAMAGE PREVENTION ORDINANCE**

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

On motion by Councilman Broderick, seconded by Councilman Day, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

Joe Fisher, reporter for *Red Bank Green*, asked if the Council could review what Ordinance 13-002 G was about.

The Municipal Clerk/Administrator advised that Ordinance 13-002 G, as well as Ordinance 13-003 D, both incorporate the ABFE, which is the Advisory Base Flood Elevation, into the Borough Ordinances for the Borough to follow the State recommendations.

Mayor Ekdahl stated that we would be able to provide Mr. Fisher with copies of the Ordinances if he wished and asked if anyone else wished to be heard on this Ordinance Amendment.

There was no response from the public.

On motion by Councilman Rubin, seconded by Councilman Day, the public hearing on this ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this ordinance in final reading. Motion seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**ORDINANCE 13-003 D TO AUTHORIZE THE AMENDMENT OF CHAPTER XXII,  
DEVELOPMENT REGULATIONS, HISTORIC BARLEY POINT SEASONAL  
RESIDENTIAL ZONE DISTRICT. PUBLIC HEARING:**

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The Municipal Clerk/Administrator advised the Mayor and Council that Ordinance 13-003 D had been reviewed by the Rumson Planning Board and was found to be consistent with the Master Plan of the Borough of Rumson at the February 4, 2013 Planning Board meeting,

The Municipal Clerk/Administrator stated that an ordinance entitled:

**13-003 D**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER XXII, DEVELOPMENT REGULATIONS**

was scheduled for public hearing at this time. He stated that the ordinance had been posted and published and the affidavit of publication is on file.

On motion by Councilman Broderick, seconded by Councilman Day, the public were given an opportunity to be heard on this ordinance in final reading. All in favor.

There was no response from the public.

On motion by Councilman Rubin, seconded by Councilman Day, the public hearing on this ordinance was declared closed. All in favor.

Councilman Rubin moved the adoption of this ordinance in final reading. Motion seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

#### **NEW BUSINESS:**

#### **INTRODUCTION OF BOND ORDINANCE 13-004 TO AUTHORIZE CAPITAL FUNDING FOR HURRICANE SANDY RELATED CAPITAL EXPENSES IN FIRST READING. PUBLIC HEARING SCHEDULED FOR TUESDAY, FEBRUARY 26, 2013 AT 7:30 P.M.**

The Municipal Clerk/Administrator read the following ordinance by title only in first reading:

#### **13-004**

BOND ORDINANCE APPROPRIATING \$1,500,000 AND AUTHORIZING \$1,425,000 BONDS OR NOTES OF THE BOROUGH FOR VARIOUS IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE BOROUGH OF RUMSON, IN THE COUNTY OF MONMOUTH, NEW JERSEY

BE IT ORDAINED BY THE BOROUGH OF RUMSON, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all the members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby respectively authorized as general improvements to be made or acquired by the Borough of Rumson, New Jersey (the "Borough"). For the said improvements or purposes stated in said Section 3, there is hereby appropriated the respective sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefor and amounting in the aggregate to \$1,500,000 including the aggregate sum of \$75,000 as the several down payments for said improvements or purposes required by law and more particularly described in said Section 3 and now available therefor by virtue of provision in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes.

Section 2. For the financing of said improvements or purposes and to meet the part of said \$1,500,000 appropriation not provided for by application hereunder of said down payments, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,425,000 pursuant to the Local Bond Law of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Local Bond Law"). In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,425,000 are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The improvements hereby authorized and the several purposes for the financing of which said obligations are to be issued, the appropriation made for and estimated cost of each such purpose, the estimated maximum amount of bonds or notes to be issued for each such purpose, and the period of usefulness of each such purpose are respectively as follows:

<b>Improvement or Purpose</b>	<b>Appropriation and Estimated Cost</b>	<b>Estimated Maximum Amount of Bonds or Notes</b>	<b>Useful Life</b>
Sanitary Sewer Repairs and Replacement as a result of Hurricane Sandy	\$750,000	\$712,500	40 years
Building Repairs as a result of Hurricane Sandy	\$300,000	\$285,000	15 years
Acquisition of various vehicles and equipment for the Department of Public works, including, without limitation, a new garbage truck and loader	\$400,000	\$380,000	5 years
Acquisition of various equipment and furniture for Borough Hall, including, without limitation, a new copier	\$50,000	\$47,500	5 years
<b>TOTAL</b>	<b>\$1,500,000</b>	<b>\$1,425,000</b>	

Said appropriations and estimated costs include all materials necessary for or incidental to each of the foregoing purposes and improvements. The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the said down payment for said purpose.

Section 4. The following matters are hereby determined, declared, recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are each a property or improvement which the Borough may lawfully acquire or make as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said purposes, within the limitations of the Local Bond Law and taking into consideration the respective amounts of said obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 24.5 years.

(c) The supplemental debt statement required by the Local Bond Law has been duly made and filed in the office of the Borough Clerk and a complete executed duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided for in this bond ordinance by \$1,425,000, and the said obligations authorized by this bond ordinance will be within all debt limitations prescribed by the Local Bond Law.

(d) Amounts not exceeding \$100,000 in the aggregate for interest on said obligations, costs of issuing said obligations, engineering costs and other items of expense listed in and permitted under Section 40A:2-20 of said Local Bond Law are included as part of the estimated costs of said improvements.

Section 5. Any funds from time to time received by the Borough as grants in aid of financing the improvements or purposes described in Section 3 of this bond ordinance, including without limitation, any FEMA or insurance money received as a result of Hurricane Sandy, shall be used for financing said improvements or purposes by application thereof either to direct payment of the costs of said improvements or purposes, or to payment or reduction of the authorization of the obligations of the Borough authorized therefor by this bond ordinance. Any such funds so received may, and all such funds so received which are not required for direct payment of the costs of said improvements or purposes shall, be held and applied by the Borough as funds applicable only to the payment of obligations of the Borough authorized by this bond ordinance.

Section 6. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the jurisdiction of the

Borough for the payment of said obligations and interest thereon without limitation as to rate or amount.

Section 7. The capital budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith and the resolutions promulgated by the Local Finance Board showing all detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, are on file with the Borough Clerk and are available for public inspection.

Section 8. The Borough intends to issue bonds or notes to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance. The Borough expects that the maximum principal amount of bonds or notes that will be issued to finance the cost of the improvements or purposes described in Section 3 of this bond ordinance is \$1,425,000. If the Borough incurs any such costs prior to the issuance of the bonds or notes, the Borough intends to reimburse itself for such expenditures with the proceeds of the bonds or notes.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Councilman Broderick moved the adoption of this ordinance in first reading. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

Mayor Ekdahl stated that this ordinance would be published and posted and come up for final consideration and public hearing at the Tuesday, February 26, 2013 meeting of the Borough Council at 7:30 p.m.

**RESOLUTION 2013-0212-40 AUTHORIZING A TEMPORARY CAPITAL BUDGET:**

**2013-0212-40**

**RESOLUTION  
TEMPORARY CAPITAL BUDGET**

WHEREAS, it is desired to adopt a 2013 Temporary Capital Budget;

NOW, THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Rumson, County of Monmouth, that the following 2013 Temporary Capital Budget be adopted:

**CAPITAL BUDGET  
2013**

1 Project	2 Project Number	3 Estimated Total Cost	4 Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2013					6 To Be Funded In Future Years
				5a 2013 Budget Appropriation	5b Capital Improvement Fund	5c Capital Surplus	5d Grants-in- Aid & Other Funds	5e Debt Authorized	
Sanitary Sewer Repairs & Replacement	1	750,000.00			37,500.00			712,500.00	
Building Repairs	2	300,000.00			15,000.00			285,000.00	
Public Works Vehicles & Equipment	3	400,000.00			20,000.00			380,000.00	
Borough Hall Equipment	4	50,000.00			2,500.00			47,500.00	
TOTALS ALL PROJECTS		1,500,000.00	0.00		75,000.00	0.00	0.00	1,425,000.00	

**3 YEAR CAPITAL PROGRAM 2013 – 2017  
Anticipated PROJECT Schedule and Funding Requirement**

1 Project	2 Project Number	3 Estimated Total Cost	4 Estimated Completion Time	5 Funding Amounts Per Year					
				Budget Year 2013	2014	2015	2016	2017	2018
Sanitary Sewer Repairs & Replacement	1	750,000.00	2013	750,000.00					
Building Repairs	2	300,000.00	2013	300,000.00					
Public Works Vehicles & Equipment	3	400,000.00	2013	400,000.00					
Borough Hall Equipment	4	50,000.00	2013	50,000.00					
TOTALS ALL PROJECTS		1,500,000.00		1,500,000.00					

**3 YEAR CAPITAL PROGRAM 2013 – 2017  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

	3 Budget Appropriations	4 Capital	5 Capital	6 Grants	7 Bonds and Notes
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1 Project	2 Estimated Total Cost	Current Year 2013	Future Years	Improvement Fund	Surplus	In Aid and Other Funds	General	Self- Liquidating	Assessment	School
Sanitary Sewer Repairs & Replacement	750,000.00			37,500.00	0.00		712,500.00			
Building Repairs	300,000.00			15,000.00	0.00		285,000.00			
Public Works Vehicles & Equipment	400,000.00			20,000.00	0.00		380,000.00			
Borough Hall Equipment	50,000.00			2,500.00	0.00		47,500.00			
TOTALS ALL PROJECTS	1,500,000.00			75,000.00	0.00	0.00	1,425,000.00			

BE IT FURTHER RESOLVED that two certified copies of this Resolution be filed forthwith in the Office of the Director of Local Government Services.

It is hereby certified that this is a true copy of a resolution adopting a 2013 Temporary Capital Budget by the governing body on the 12<sup>th</sup> day of February 2013.

The above Resolution was moved by Councilman Hemphill, seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**RESOLUTION 2013-0212-41 AUTHORIZING THE REFUND OF REDEMPTION MONIES TO RIDGEBACK VENTURES, LLC FOR PROPERTY KNOWN AS BLOCK 54, LOT 5 ON THE TAX MAP:**

**2013-0212-41**

**RESOLUTION AUTHORIZING REFUND OF REDEMPTION MONIES TO RIDGEBACK VENTURES, LLC**

WHEREAS, at the Municipal Tax Sale held on December 11, 2012, a lien was sold on Block 54, Lot 5, also known as 68 Blackpoint Road in Rumson, for 2011 delinquent sewer charges; and

WHEREAS, this lien, known as Tax Sale Certificate #12-00005, was sold to Ridgeback Ventures, LLC, at 18% per annum interest rate; and

WHEREAS, Reussille Law Firm, LLC, on behalf of the new property owner, has effected redemption of Certificate #12-00005 in the amount of \$967.33;

NOW, THEREFORE, BE IT RESOLVED that the Borough Council of the Borough of Rumson hereby authorize the Chief Financial Officer to issue a check in the amount of \$967.33 payable to Ridgeback Ventures, LLC, PO Box 503, Mount Freedom, NJ 07970 for the redemption of Tax Sale Certificate #12-00005; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer/Tax Collector.

The above Resolution was moved for adoption by Councilman Rubin. Motion seconded by Councilman Hemphill and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**RESOLUTION 2013-0212-42 MEMORIALIZING THE APPOINTMENT OF MEMBERS TO THE LOCAL MUNICIPAL ALLIANCE FOR THE PREVENTION OF ALCOHOL AND DRUG ABUSE COMMITTEE:**

**2013-0212-42**

**RESOLUTION MEMORIALIZING THE APPOINTMENT OF MEMBERS TO THE LOCAL MUNICIPAL ALLIANCE FOR THE PREVENTION**

## OF ALCOHOL AND DRUG ABUSE COMMITTEE

WHEREAS, alcoholisms and drug use are important public and law enforcement problems in this area; and

WHEREAS, the Borough of Rumson is desirous in continuing the Local Municipal Alliance for the Prevention of Alcohol and Drug Abuse Committee work presenting education and prevention programs, as well as short-term counseling and intervention assistance in an effort to resolve the problems of abuse of alcohol and other drugs; and

WHEREAS, the Borough Council of the Borough of Rumson in accordance with P.L. 1989, CH. 51 recognizes the Local Municipal Alliance for the Prevention of Alcohol and Drug Abuse Committee and supports its efforts to organize and coordinate the schools, law enforcement, business groups, and other community organizations for the purpose of reducing alcoholism and drug abuse, as well as establishing outreach programs for residents and other comprehensive awareness programs to meet the needs of the community; and

WHEREAS, the Borough Council has, on an annual basis, at its meeting in January each year, appointed members to the Local Municipal Alliance for the Prevention of Alcohol and Drug Abuse Committee;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that that the following person is hereby appointed to the Local Municipal Alliance for the Prevention of Alcohol and Drug Abuse Committee to serve as executive board member for the calendar year 2013:

Councilman Benjamin W. Day, Jr.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Municipal Clerk to be a true copy is forwarded to:

Barry W. Johnson, Director  
Monmouth County Department of Human Services  
Division of Alcohol and Drug Abuse Services  
PO Box 3000  
Kozloski Road  
Freehold NJ 07728

The above Resolution was moved for adoption by Councilman Shanley. Motion seconded by Councilwoman DeVoe and carried on the following roll call vote:

In the affirmative: Broderick, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Abstain: Day.

Absent: None.

### **RESOLUTION 2013-0212-43 OPPOSING NEW JERSEY STATE ASSEMBLY BILL A-1196:**

#### **2013-0212-43**

#### RESOLUTION IN OPPOSITION TO NEW JERSEY STATE ASSEMBLY BILL A-1196

WHEREAS, public safety employees and volunteers should be adequately compensated for on-duty accidents and illnesses; and

WHEREAS, New Jersey's current Workers' Compensation law is already one of the broadest in the country; and

WHEREAS, A-1196 as currently written will make it almost impossible to contest claims from injuries and illnesses caused off-the-job; and

WHEREAS, this Bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension, did not occur on the job; and

WHEREAS, the actuary for the Municipal Excess Liability Joint Insurance Fund (MEL) has estimated that Bill A-1196 could easily double municipal Workers’ Compensation expense of \$400 million per year; and

WHEREAS, the MEL has offered to sit down with the supporters of this legislation to develop less expensive ways of improving the compensation to first responders;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Rumson that the Legislature be urged to reject Bill A-1196 and urges the supporters of this legislation to work with the MEL and representatives of other units of government to develop less expensive ways to improve compensation to first responders; and

BE IT FURTHER RESOLVED that the Municipal Clerk shall send copies of this resolution to New Jersey State Senate President Stephen M. Sweeney, New Jersey State Assembly Speaker Sheila Y. Oliver; State Senator Stephen M. Kyrillos, Jr., State Assemblywoman Amy H. Handlin, State Assemblyman Declan J. O’Scanlon, Jr. and New Jersey Governor Chris Christie.

The above Resolution was moved for adoption by Councilwoman DeVoe. Motion seconded by Councilman Day and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

**ANNOUNCEMENT BY THE MAYOR:**

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Mayor Ekdahl made the following Announcement:

Borough Hall will be closed on Monday, February 18<sup>th</sup> in observance of Presidents’ Day. However, there will be garbage collection on February 18<sup>th</sup>.

Thank you for your cooperation.

**CONSIDERATION OF BILLS AND CLAIMS (RESOLUTION):**

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Councilman Hemphill offered the following resolution and moved its adoption:

\$	368.64	Tomahawk Live Trap Co
\$	368.64	Animal Control Account
\$	6,342.00	Great Openings
\$	6,342.00	Capital Account
\$	20.77	JCP&L
\$	1,217.75	Jeffrey R Surenian & Assoc LLC
\$	1,238.52	COAH Account
\$		
\$	12,279.54	JCP&L
\$	18,660.34	Allied Oil LLC
\$	1,062.75	Americanwear Indust Uniforms
\$	1,300.00	American Hose & Hydraulics
\$	95.00	ANJR
\$	321.50	AR Communications
\$	295.50	Asbury Park Press
\$	380.00	Athlete’s Alley
\$	65.00	Bayshore Fire & Safety LLC
\$	945.90	Bob’s Uniform Shop



\$	43,990.00	Borough of Fair Haven
\$	72.00	Butch's Auto Car Wash Inc
\$	2,221,702.38	Monmouth County Treasurer
\$	129,233.25	Monmouth County Treasurer LIB
\$	128,782.01	Monmouth County Treasurer OS
\$	6,260.94	Cross Over Networks
\$	40.00	Custom Tire Associates
\$	1,261.75	Depository Trust Company
\$	120.00	Isabel C DeRosa
\$	170.00	Dynamic Testing Service
\$	248.76	F & C Automotive Supply Inc
\$	290.00	Garden State Highway Products
\$	1,077.78	Global Industries Inc
\$	2,763.60	Great Openings
\$	16,331.54	Hess Corporation
\$	115.78	Home Depot Commercial Credit
\$	848.40	Hough Petroleum Corp
\$	514.33	Power Crimp Industries Inc
\$	25.95	JB Sales and Service
\$	3,636.74	JCP&L
\$	712.32	Johnny on the Spot Inc
\$	122.49	Daryl J Kochel
\$	31,350.00	Kudos Enterprises Inc
\$	89.95	Lanigan Associates Inc
\$	793.73	Level 3 Communications LLC
\$	600.00	Maaco Auto Painting
\$	411.60	Marpal Disposal
\$	45.00	Mike Marra
\$	10.00	MCAA of Monmouth County
\$	1,273.00	MGL Printing Solutions
\$	99.88	Mid-Atlantic Truck Centre Inc
\$	1,989.00	Modspace
\$	19,144.03	Treasurer County of Monmouth
\$	200.00	Monmouth County Police Academy
\$	834.00	Monmouth Truck Equipment
\$	3.78	Monmouth Building Center
\$	100.00	Municipal Clerks Assoc NJ Inc
\$	1,050.00	National/American Waterproofing
\$	327.16	Naylor's Auto Parts
\$	9,068.80	New Jersey American Water
\$	2,506.76	NJ Natural Gas Co
\$	77,176.08	State of NJ Pensions/Active
\$	44,909.86	State of NJ Pensions/Retiree
\$	207.76	Novelty Lights Inc
\$	1,285.72	Omaha Standard Inc
\$	286.56	One Call Concepts
\$	427.00	Overbrook Farm
\$	3,400.00	Park Steel & Iron Co
\$	206.46	Pep Express Parts
\$	36.00	Perry's Trophy Co Inc
\$	200.00	Postmaster Red Bank
\$	967.33	Ridgeback Ventures LLC
\$	170.00	Roy Press Printers
\$	94,464.57	Shaw Environmental Inc
\$	111.94	Staples
\$	250.00	State Shorthand Reporting Serv
\$	721.17	State of NJ Treasurer
\$	473.05	Targeted Technologies LLC
\$	1,000.00	Treasurer County of Monmouth
\$	406.88	Trico Equipment Services LLC
\$	441.75	The Two River Times
\$	5,078.07	Van Dine's FWD Center Inc
\$	60.00	Wageworks
\$	9.24	George Wall Lincoln

\$	26.60	Warshauer Electric Supply
\$	14.76	Werner Automotive
\$	1,206.00	Xylem Dewatering Solutions Inc
\$	275.00	ZEP Sales & Service
\$	33,138.39	Woodward Construction Co
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\$	2,930,572.43	Current Fund
\$	100.00	Legalized Games of Chance
\$	750.00	Powerhouse Signworks
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\$	850.00	Endowment Inc Account
\$	100.00	Jersey Girls Lacrosse Assoc
\$	200.00	Thomas Manzo
\$	206.40	Nelson Press
\$	150.00	John Werner
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\$	656.40	Recreation Account
\$	242,563.63	Current Fund Appropriations
\$	2,688,008.80	Current Fund Appropriations
\$	368.64	Animal Control Fund Expenses
\$	6,342.00	Capital Fund Disbursements
\$	850.00	Endowment Disbursements
\$	656.40	Recreation Disbursements
\$	1,238.52	Trust Fund – Other Expenses
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\$	2,940,027.99	Total Of All Funds

Resolution seconded by Councilman Broderick and carried on the following roll call vote:

In the affirmative: Broderick, Day, DeVoe, Hemphill, Rubin and Shanley.

In the negative: None.

Absent: None.

#### **COMMENTS FROM THE COUNCIL:**

The Mayor afforded the members of the Council an opportunity to be heard at this time and no one responded.

#### **COMMENTS FROM THE PUBLIC:**

The Mayor afforded the public an opportunity to be heard at this time and the following residents responded:

Tom Jones of 27 Avenue of Two Rivers stated that he had a question on the adoption of the new FIRM map from the State. He asked if that was defined at this point for measurements. He stated that he has a situation where he has an A and a B Zone running through his property and he is not sure how to read the information that he has on that. He asked if it could be measured by a surveyor at this time before the map adoption.

Mayor Ekdahl stated that the B Zone was probably near the water's edge.

Mr. Jones said that it was hard to tell on the maps that he has checked using Google Earth and the overlay from the federal government, but it looks like it is closer to the house.

The Municipal Clerk/Administrator stated that the ABFE and FEMA flood mapping doesn't follow the roads or the property lines.

Dave Marks of T & M Associates explained that the ABFE flood mapping information can be downloaded in an electronic format that your surveyor, architect or engineer can apply that to your particular property and determine where that line is. He suggested another alternative would be to submit an application to the Department of Environmental Protection for the specific flood hazard area for the permit required when building within a flood zone area. Mr. Marks stated that it was a

reasonable fee of approximately \$100-\$200 for that determination; the D.E.P. can assist in determining which zone the property is in for future reference.

Mayor Ekdahl stated that this matter has come up for a lot of our residents.

Mr. Marks added that a more conservative approach would be to go to a higher zone, however there are significant costs associated with that.

The Municipal Clerk/Administrator advised Mr. Jones that he was not the only one that has asked that question. He added that the zone lines don't follow property lines, so you really need to have someone make a decision based on the elevation of where your home is located.

In answer to a question from Mr. Jones, the Municipal Clerk/Administrator stated that the ABFE or FIRM maps are capable of being pulled on a CAD system and laid on top of a survey to show the zones.

Richard Jones of 37 Navesink Avenue asked why the Borough was opposed to the State Assembly Bill A-1196 "Twenty First Century First Responders Protection Act."

The Municipal Clerk/Administrator reported that the New Jersey State League of Municipalities has recommended that the Bill be rewritten to be more focused and not so wide open as it is now. He stated that as the Bill is written, the League of Municipalities has advised that the cost of workers' compensation insurance to the municipalities could triple or quadruple in one year.

The Mayor advised that the New Jersey League of Municipalities is an advocate for all the municipalities in the State.

Councilman Rubin read the following from the Resolution opposing the Bill: "WHEREAS, this Bill places the burden of proof on governmental employers to establish that an injury or illness, such as cancer, heart attack or hyper tension, did not occur on the job;"

Mr. Jones stated that he understood the point, but it might be equally hard for a worker to prove their case.

The Municipal Clerk/Administrator stated that, unfortunately, the New Jersey Courts and Laws do not see it that way. He stated that, because of the way that the Bill is currently written, there is no separation between what happens off the job and on the job. He stated that an example would be that of a volunteer out shoveling snow off the job could have a heart attack and blame it on the work that he does for the Borough. He added that all the municipalities wanted was for that point to be clarified in Bill A-1196 currently before the Assembly.

Mr. Jones stated that many of the First Responders at the Trade Center on September 11, 2001 had difficulty getting healthcare for medical problems that they had and the Bill seemed to be trying to codify this in New Jersey.

The Municipal Clerk/Administrator thanked Mr. Jones for his comments.

Mayor Ekdahl asked if anyone else had any comments and no one responded.

#### **ADJOURNMENT:**

On motion by Councilman Rubin, seconded by Councilman Shanley, the meeting adjourned at 7:44 p.m. All in favor.

Respectfully submitted,

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Thomas S. Rogers, R.M.C.  
Municipal Clerk/Administrator